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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,096	01/22/2002	Makoto Tanaka	SCEIYO 3.0-110	3655
530	7590	11/28/2003	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			RIOS CUEVAS, ROBERTO JOSE	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,096

Applicant(s)

TANAKA ET AL.

Examiner

Roberto J Rios

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: See *Continuation Sheet*.

Continuation of Attachment(s) 6). Other: English machine translation of JP 07-240968..

DETAILED ACTION

Drawings

1. The drawings are objected to because every empty box must be labeled as to their proper function. For example, empty box (73) in Figure 4 must be labeled "video input module". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because: non-initialed and/or non-dated alterations have been made to the oath or declaration (Third inventor's date). See 37 CFR 1.52(c).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-7, 9-11, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kazutaka (JP 07-240968).

As per claims 1, 5, 9, and 13-15, Kazutaka teaches a wireless controller for remote-controlling a predetermined electronic device through wireless communication,

the controller comprising: a plurality of internal components each utilizing electric power at a rate of power consumption to operate, the plurality of components being classified into at least a first group of components whose members each have a relatively high rate of power consumption and a relatively low degree of functional importance, and a second group of components whose members each have a relatively low rate of power consumption and a relatively high degree of functional importance; and at least two power supplies, one of the power supplies supplying electric power to only the first group of components, and another of the power supplies supplying electric power to the second group of components (Figure 2; English translation).

As per claims 2, 6, and 10, Kazutaka teaches the one power supply supplying electric power to only the first group of components being an exchangeable battery (English translation).

As per claims 3, 7, and 11, Kazutaka teaches the other power supply supplying electric power to the second group of components being an incorporated secondary battery (Figure 2).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 8, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazutaka in view of Ryoichi et al (JP 01-135163).

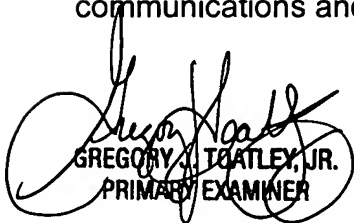
As per claims 4, 8, and 12, Kazutaka teaches the secondary battery but does not specifically disclose a charge terminal to charge said battery. However, Ryoichi et al (herein after Ryoichi) teaches a wireless remote controller comprising a dual battery arrangement, wherein a charge terminal is provided to charge a secondary battery (Figure 2, English Abstract).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kazutaka's controller with Ryoichi's charge terminal for the purpose of providing an external recharging means to said battery.

7. Art of general nature relating to dual battery arrangement has been cited for applicant's review.

Communication with PTO

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rios whose telephone number is (703) 306-5518. In the event that Examiner Rios cannot be reached, his supervisor, Brian Sircus may be contacted at (703) 308-3119. The fax number for Before-Final communications and After-Final communications is (703) 872-9306.



GREGORY J. TATLEY, JR.
PRIMARY EXAMINER

Roberto J. Rios
Patent Examiner